

# **LINCOLN PLANNING BOARD**

**FEBRUARY 26, 2014**

**APPROVED**

The regular meeting of the Planning Board was held on Wednesday, February 26, 2014, at the Lincoln Town Hall, 100 Old River Road, Lincoln, Rhode Island.

Chairman Bostic called the meeting to order at 7:00 p.m. The following members were present: Kenneth Bostic, John Hunt, Gerald Olean, Timothy Griffin, Michael Reilly and Jeffrey Delgrande. Also in attendance were Town Planner Al Ranaldi, Town Engineer Leslie Quish and Town Solicitor Anthony DeSisto. Russell Hervieux kept the minutes.

The following member was absent from this meeting: William Murphy.

Chairman Bostic advised that six members were present; have quorum.

## **CONSENT AGENDA**

Chairman Bostic reminded members that the consent agenda has four zoning applications and staff reports. A consent agenda is normally voted on in total unless a member motions to remove an

**item.**

**Motion was made by member Olean to accept the consent agenda as presented was seconded by member Reilly. Motion was approved by all members present.**

## **MAJOR LAND DEVELOPMENT REVIEW**

**a. 90 Industrial Circle AP 2 Lot 82                      Public Hearing – 7:00 pm  
A.F. Homes, LLC Walker Street & Industrial Circle  
Preliminary Plan Discussion/Approval**

**Chairman Bostic called the Public Hearing to order at 7:02 pm. Roll call of the abutter's list was read by the recording secretary. There were two responses to the reading of the abutter's list. Chairman Bostic called for any other abutter in the audience whose name was not read to be recognized. No responses were given.**

**Mr. Ranaldi stated that this application is before the Board for a public hearing. The application received a certificate of completeness on December 11, 2013 and the Board has until April 10, 2014 to make a decision. The application represents the redevelopment of a 42,000 square foot mill building into 40 residential housing units with associated parking. The applicant received a Use Variance in October of 2006 for this use which required a minimum of 10% of units be designated as affordable. The TRC has reviewed the**

application and received a stamped landscape plan this past Tuesday which was after the meeting.

Joelle Sylvia, attorney for the applicant, made a brief presentation to the Board. Ms. Sylvia stated that this plan was before the Board in 2007 for master plan approval which was granted in April of 2007. The approval had two conditions placed on it. One condition was the environmental land use restriction placed by RIDEM must be modified to allow a residential use. The other condition was that the applicant must obtain a dimensional variance to address the existing nonconformities of the building. The variance was granted by the Zoning Board shortly after this Board granted master plan approval. The environmental land use restriction was modified and accepted by RIDEM and subsequently recorded in 2012. Since master plan approval the applicant has received a permit for the underground injection system which deals with the drainage on the property.

Terry Gentes, engineer for the applicant, made a brief presentation to the Board. Ms. Gentes stated that underground injection system permit is to take the parking lot storm water and inject it below ground in a drywell type system. The system has been modified to meet the current RIDEM standards. The applicant will be installing a five foot sidewalk along with granite curbing to separate the parking lot from Industrial Circle. The sidewalk will connect with sidewalk on Walker Street. Some of the current impervious areas will have landscaping installed which will reduce the overall impervious area that currently exists. There will be a patio behind the building for the

residents along with screening from the industrial uses. There will be 80 parking spaces with 4 of those spots being handicapped. A note will be added to the final plan which will allow the applicant and the Town to work together on locating and defining the existing sewer and drainage pipes on the property.

Chairman Bostic opened up the meeting to comments from the public.

John Gustafson, JKG Enterprises, stated that he is the closest abutter approximately 20 feet away from the building. Mr. Gustafson is concerned about visitor parking and the proposed patio which has truck traffic right behind it. Ms. Gentes replied that the parking area meets Town code and the style of these units doesn't usually have two vehicles per unit. Mr. Gustafson still felt that visitor parking will become an issue. Member Hunt felt it would be a benefit to identify visitor parking in the lot. Ms. Gentes stated that could be added to the final plan. Mr. Gustafson stated that he objects to the entire project as it does not fit into this area.

John Birchell had some concerns about the buffer zone along the Smithfield Avenue side. Mr. Birchell also had concerns that the sewer system could handle these additional 40 units. Ms. Gentes replied that the sewer pipe in front of this property has been replaced with a PVC pipe that has ample capacity for these units. Ms. Gentes also stated that a treed landscape plan is included with this project

**which will help buffer this from Smithfield Avenue area.**

**Motion made by member Olean to close the public hearing at 7:23 pm was seconded by member Delgrande. Motion was approved by all members present.**

**Member Olean asked Ms. Sylvia if she was familiar with the TRC report. Ms. Sylvia stated that she did review the report and agrees with it. Ms. Sylvia further stated that the sewer and drainage line will not be dealt with at final plan but a note will be added to the final plans. She further agrees that the Town will have access to the site during construction to locate and investigate these pipes. Ms. Sylvia went over the findings of fact that the applicant has complied with for this Board to make a decision. Several discussions took place in regards to the easements regarding the drainage and sewer pipes. It was decided that the easements will have to be drawn and approved by the Town once the pipes and their condition is determined during construction. A note will be added to final plan allowing the Town to perform this work. Member Olean stated that this is not the place to resolve the questions of the pipes and easements. This issue should go back to the TRC and work out the details. Member Olean was also concerned that the landscape plan was not received in time for the TRC to review. Therefore the landscape plan should be reviewed by the TRC before this Board makes any decisions. This application will move to next month's meeting for further review.**

## **MAJOR SUBDIVISION REVIEW**

### **a. Shekarchi Residence AP 19 Lot 147 Preliminary Plan**

**John & Julie Shekarchi 14 Lladnar Drive Discussion/Approval**

John Shekarchi, applicant and attorney, made a brief presentation to the Board. Mr. Shekarchi stated that this application represents the splitting of one lot into two lots. The applicant received the required zoning relief for frontage last month. The zoning decision was recorded today in the land evidence records. The two pending issues were a deed restriction for no further development and a maintenance agreement of the private force main sewer. The Town Solicitor is working with Mr. Shekarchi on finalizing these documents. Mr. Shekarchi asked if the Board would consider combining preliminary plan stages and delegate final plan approval to the administrative officer. Member Delgrande asked if the neighbor is in agreement with the sewer maintenance agreement as a party. Mr. Shekarchi replied that he is in agreement and documentation has been submitted to that fact. Mr. Ranaldi stated that all lots having access to this private force main be identified by plat and lot in the agreement. Mr. Shekarchi stated that he would include that information. Several discussions took place about the request to combine preliminary plan stages which would eliminate the public hearing.

Motion made by member Olean to move this application to a public hearing next month was seconded by member Hunt. Motion was

**approved by all members present.**

## **INTERIM GUIDANCE FOR COMPREHENSIVE PLAN REVIEW – LETTER OF AGREEMENT**

**Mr. Ranaldi stated that the State has revised the requirements of the comprehensive plan. They have not prepared guidance for the municipalities to follow. In the interim the State has put together the interim guidance for the comprehensive plan review. This is a step below what will eventually be required by the municipalities. The Town would have to submit a letter to the State stating we would like to be reviewed under the interim guidance review. Mr. Ranaldi recommends that the Board submit this letter. The State has been working on what they want for the revised comprehensive plans. Mr. Ranaldi thinks that the State won't be ready by the spring and does not want the Town comprehensive plan review to be held up. This letter would have to come from the Planning Board Chairman which is already drafted.**

**Motion made by member Olean to send a letter to the State for interim guidance for comprehensive plan review. The motion was seconded by member Griffin. Motion was approved by all members present.**

## **AMERICAN PLANNING ASSOCIATION – RHODE ISLAND CHAPTER MEMBERSHIP DRIVE**

**Mr. Ranaldi stated that the Rhode Island chapter of the American Planning Association is having a membership drive. They have a chapter only membership for planning Board members that is \$25. The Town has funding for all members to join. The chapter puts out newsletters of stories pertinent to planning board members. The chapter is working with other organizations to have an input into legislative changes that come along. Mr. Ranaldi recommends that all members of this Board become join the APA Rhode Island chapter.**

**Motion made by member Griffin that all current Board members join the American Planning Association Rhode Island chapter per the recommendation of the Town Planner. The motion was seconded by member Olean. Motion was approved by all members present.**

## **SECRETARY'S REPORT**

**The Board was given one set of minutes to review. The minutes are for January 22, 2014. The Town Planner Al Ranaldi stated that he has reviewed these minutes.**

**Motion made by member Reilly to dispense with the reading of and approve the January 22, 2014 minutes was seconded by member Griffin. Motion was approved by all members present.**



**Motion made by member Delgrande to adjourn and was seconded at 8:01 pm by member Olean. Motion was approved by all members present.**

**Respectfully submitted,**

**Russell Hervieux**

**Attached February TRC Report:**

**On February 19, 2014 at 11:00 AM, the Technical Review Committee met to review the agenda items for the February 26, 2014 meeting of the Planning Board. In attendance were Al Ranaldi, Peggy Weigner, Michael Gagnon, and Leslie Quish. Below are the Committee's recommendations.**

### **Major Land Development Review**

**a. 90 Industrial Circle AP 2 Lot 82 Public Hearing – 7:00 PM**

**- A.F. Homes, LLC Walker Street & Industrial Circle Preliminary Plan**

**Discussion / Approval**

**This major land development project is to be reviewed under the 2001 Subdivision Regulations and represents the re-development of an**

existing 41,480 square foot mill building into forty (40) residential housing units. A use variance to allow residential use with 10% designated as affordable was granted by the Zoning Board on October 3, 2006. This project received Master Plan Approval with Conditions on April 25, 2007. There are eighty (80) off street parking spots proposed to be located in a parking lot in front of the building. There is an 11,646 square foot environmentally sensitive area at the northwest corner of the property.

On December 11, 2013, the project received a Certificate of Completeness. According to our Subdivision Regulations, the Planning Board shall, within one hundred twenty (120) days of certification of completeness or within such further time as may be consented to by the applicant, approve the preliminary plan as submitted, approve with changes and/or conditions, or deny the applicant, according to the requirements of Section 8. A decision on the preliminary plan review must be made by April 10, 2014, or within such further time as may be consented to by the applicant. The application is in front of the Planning Board for a Public Hearing. The preliminary plan submission included the following:

- Preliminary Plan Submission for Assessor's Plat 2, Lot 82 Located at Walker Street and Industrial Circle, Lincoln, Rhode Island 02865, prepared by Cataldo Associates, Inc., dated June 24, 2013, revised through January 11, 2014;
- Soil Erosion and Sediment Control and Stormwater Management Report, prepared by Cataldo Associates, Inc., dated February 13, 2007, revised up to August 15, 2013;

- A letter from RIDEM dated August 17, 2012 stating that the preliminary plans submitted and their proposed Soil Management Plan Narrative qualify for the existing commercial Environmental Land Use Restriction (ELUR) to be revised to allow restricted residential use of the property.
- Soil Management Plan, prepared by Cataldo Associates, Inc., dated June 26, 2012 and stamped and signed on August 23, 2013.
- An Underground Injection Control (UIC) approved permit from the Rhode Island Department of Environmental Management dated July 25, 2007.
- Landscape Plan, for project AP 2, Lot 82 Walker Street and Industrial Circle, Lincoln, Rhode Island, prepared for A.F. Homes, 22 Kent Place, Cranston, Rhode Island 02905, no date was given.

Below are the Technical Review Committee's review and recommendations.

### **Site Layout**

The property currently contains a vacant 41,480 square foot mill building and associated parking area. The proposed project is to redevelop the mill building into forty (40) residential housing units. A use variance to allow residential use was granted by the Zoning Board on October 3, 2006. According to the submitted plans, there will be one access point to the new parking area from Industrial Circle. Currently, there is no distinction between the roadway and the existing parking area. The applicant has proposed to install sidewalks and granite curbing along Industrial Circle.

The applicant is proposing to remove existing roofing to convert this existing elevated area located in the lower southwestern corner of the property into an outdoor patio area. The proposed outdoor patio area will be surrounded by a fence. Four ballads will be installed next to the stairs to protect future residents from wayward vehicles.

There is an 11,646 square foot environmentally sensitive area at the northwest corner of the property. An Environmental Land Use Restriction (ELUR) has been placed on this area by the Department of Environmental Management. The re-development of this area is governed by RIDEM. The plan authorizes the removal of an existing foundation as well as selective tree clearing and states that new planting will be installed. During the December Planning Board meeting, the TRC requested a detailed landscape plan for this area. The applicant submitted a landscape plan. However, it did not contain enough details for the TRC to offer a positive recommendation. The TRC asked the applicant to submit planting list that describes the species and size of the proposed trees and shrubs that would be installed according to the plan. Unfortunately, this planting list was not submitted on time to be reviewed by the TRC.

#### **Parking and Storm Water Runoff**

There are eighty (80) off street parking spots proposed to be located in redeveloped parking lot in front of the building. Stormwater runoff from the parking lot will be captured and directed into an underground detention infiltration system. The RIDEM approved an Underground Injection Control (UIC) permit on July 25, 2007. While the submitted plans successfully address the parking needs

according to our zoning regulations, the TRC noticed that the overall grade of the parking lot is somewhat steep and noted this concern to the applicant. The revised plan shows the placement of new parking lot lighting. The plans indicate that the proposed lighting plan is compliant with the Rhode Island Outdoor Lighting Control Act (RIGL 42-136) and local and National electrical codes.

### **Zoning Requirements**

The site is currently zoned ML-0.5 and a use variance was granted for residential use. According to the Town's zoning regulations, "a parking area for more than 20 cars adjacent to or within a residential district shall have an opaque fence maintained between such parking area and the residential district." The regulations also allow compact evergreen screening not less than five feet in height to be substituted for the fence. This regulation applies along Walker Street and a portion of Smithfield Avenue. During the December Planning Board meeting, the TRC requested a detailed landscape plan for this area. The applicant submitted a landscape plan. However, it did not contain enough details for the TRC to offer a positive recommendation. The TRC asked the applicant to submit planting list that describes the species and size of the proposed trees and shrubs that would be installed according to the plan. Unfortunately, this planting list was not submitted on time to be reviewed by the TRC.

### **Utilities**

The project is proposed to be serviced by public water and sewer.

**According to the Lincoln Water Commission (LWC), the domestic water service and the fire lines to the building are very old. Public water is available to the building. However, the applicant has been and must continue to work closely with LWC to design and install an upgraded water service that will meet the future needs of the building.**

**This water service upgrade will be part of the LWC's final plan approval process.**

**An existing and functioning sewer line runs through the upper portion of the property. The applicant researched the property deed to see if a utility easement is in place. According to the applicant, a utility easement does not exist. The Town asked the applicant if they would give the Town a utility easement for the future maintenance of the sewer line. The applicant agreed to this request. The TRC would like this easement to be submitted and reviewed by the Town Solicitor before Preliminary Plan approval is granted. The granting of an easement can be a condition of final plan approval.**

**An existing drainage line runs along the front of the building. The Technical Review Committee and the Director of Public Works would like the applicant to evaluate the functionality and condition of this drainage line. The Town wonders if there are any roof drains connected to this drainage line. The Town and the applicant agreed that the best time to research the functionality and condition of the drainage line would be when the applicant is doing the required site work. The applicant's engineer recommends that the drainage line be exposed during the site work phase of the project and a visual examination be performed at that time. The applicant and the Town**

can proceed with any remedies if needed at that time. The TRC asked that a note be placed on the preliminary plans and construction plans indicating that an agreement is in place where the research of this drainage line in corporation with the Town during the appropriate time in construction.

The Town also asked the applicant to evaluate whether an easement is in place with the Town. The applicant researched the property deed to see if a utility easement is in place for the drainage line. According to the applicant, a utility easement does not exist. The Town asked the applicant if they would give the Town a utility easement for the future maintenance of the drainage line. The applicant agreed to this request. The TRC would like this easement to be submitted and reviewed by the Town Solicitor before Preliminary Plan approval is granted. The granting of an easement can be a condition of final plan approval.

Barring any unforeseen concerns brought out during the public hearing, the Technical Review Committee feels that the applicant has addressed all engineering concerns expressed at the past TRC and Planning Board meetings. The only outstanding concern at this review stage is how the applicant is going to buffer the parking area from the abutting residential neighborhoods. The landscape plan offers a concept but does not give any specifics that could be incorporated into a condition of approval. The Technical Review Committee recommends that the applicant provides the Board with a planting list describing the species and size of the proposed trees

and shrubs that would be installed according to the plan.

## **Major Subdivision Review**

- a. Shekarchi Residence AP19 Lot147 Master Plan Discussion /  
- John and Julie Shekarchi 14 Lladnar Drive Approval**

**This application is under the 2005 Subdivision Regulations and represents the subdivision of one lot into two residential lots. The proposed project is being reviewed at the major subdivision - preliminary plan review stage. The project was elevated to a major subdivision due to the need for a dimensional variance. On January 22, 2014, the Planning Board gave Master Plan approval to the project. On February 4, 2014, the Zoning Board approved the requested dimensional variance.**

**On February 19, 2014, the project received a Certificate of Completeness. According to our Subdivision Regulations, the Planning Board shall, within one hundred twenty (120) days of certification of completeness or within such further time as may be consented to by the applicant, approve the preliminary plan as submitted, approve with changes and/or conditions, or deny the applicant, according to the requirements of Section 8. A decision on the preliminary plan review must be made by June 19, 2014, or within such further time as may be consented to by the applicant. This project is before the Planning Board for a preliminary plan review.**

**The preliminary plan submission included the following:**



- A plan entitled, Proposed Subdivision/Concept Plan, Lincoln, RI, Plan of Land, John Shekarchi AP 19, Lot 147, dated August 13, 2013.
- A letter from the Lincoln Water Commission dated December 2, 2013.
- A letter from InSite Engineering Services, LLC dated December 6, 2013.
- A report entitled, Proposed Two-Lot Subdivision, 14 Lladnar Drive, Lincoln, Rhode Island, Assessor's Plat No. 19 – Lot 147, Prepared for John Shekarchi, By Edward Pimentel, dated December 11, 2013.
- A report entitled Subject Block – Neighborhood Analysis, prepared for John Shekarchi, By Edward Pimentel, dated December 18, 2013.
- A plan entitled, "Preliminary" Lincoln, RI, Minor Subdivision Prepared for Julie Shekarchi, Class 1 Survey of AP 19, Lot 147, Llanar Drive by Marsh & Long Surveying Inc. dated December 23, 2013.
- A draft copy of a proposed Sewer Maintenance Agreement
- A draft copy of a Restrictive Easement

#### **Site Layout**

The Technical Review Committee reviewed the submission. The applicant owns a 12 acre +/- parcel of land on which their residence is located. The zoning district is RS-20. The applicant presented a concept plan that shows a four lot subdivision with a 242 foot long combined roadway and cul-de-sac. The existing residence would become one smaller lot and three new lots would be created. This plan as presented would meet all of the subdivision and zoning regulations.

The applicant feels that a two lot subdivision would be more appropriate based on the composition of the existing established neighborhood. The existing residence would become one smaller lot and the new lot would be set back from the reconfigured existing house lot and measure approximately 11 acres in size. Access to this lot would be from a 40 foot wide strip of land extending from the roadway. This 40 foot strip of land would serve as lot width. The required lot width for this zoning district is 120 feet. The applicant will place a restrictive easement on the larger lot preventing any further subdivision or development from occurring.

During the Master Plan review stage, the Planning Board agreed with the applicant that the proposed two lot residential subdivision is consistent with the surrounding neighbor and represents a good planning decision for the existing established neighborhood. This determination was based on the supplied reports submitted by the applicant entitled; Proposed Two-Lot Subdivision, 14 Lladnar Drive, Lincoln, Rhode Island, Assessor's Plat No. 19 – Lot 147, Prepared for John Shekarchi, By Edward Pimentel, dated December 11, 2013, and a report entitles, Subject Block – Neighborhood Analysis, prepared for John Shekarchi, By Edward Pimentel, December 18, 2013.

Members of the TRC visited the site and the surrounding neighborhood in order to offer their recommendation of the character of the existing neighborhood. The TRC noticed that there is another existing residence on a large lot set back between two houses. The area's plat map shows a variety of odd shaped lots. The applicant hired a professional planner to perform an in-depth study of the

surrounding neighborhood. This analysis found that approximately 44%, or 11 of the 25 lots, have deficient lot widths. The analysis also concludes that the surrounding neighborhood is made up of a variety of odd shaped lots. Based on the evidence supplied by the applicant, the Technical Review Committee also agreed that a four lot subdivision and a new roadway would not be consistent with the existing neighborhood. The TRC pointed out that the Town would incur additional maintenance responsibilities for the new public infrastructure and that the reduction of the roadway and two residential lots will minimize any impacts to the surrounding wetlands.

### **Zoning Requirements**

The proposed two lot subdivision was presented to the Zoning Board. On February 4, 2014, a dimensional variance of 80 feet was granted by the Zoning Board. The reconfigured existing residential lot would have a lot width of approximately 135 feet while the proposed lot would have only 40 feet.

### **Utilities**

An additional concern for any size subdivision is the sewer system. Currently, the existing residence and their neighbors share a private force main system that is located in the public roadway. This force main system connects to the Town's public sewer system at a manhole located up the street. The proposed lot would be connected to the public sewer system in the same manner. Allowing a private

**force main into a public roadway is not the policy of the Town and does not comply with the sewer ordinance. However, this situation currently exists without documentation.**

**The applicant worked with our Town Solicitor to memorialize this private force main system and develop a sewer maintenance agreement that outlines the responsibilities' of the home owners that utilize this private sewer system and the responsibilities of the Town as they relate to the system. However, the draft agreement does not specify the assessor's plat and lots of the properties involved. The TRC would like the proposed agreement to reflect the four properties utilizing this private sewer system. This maintenance agreement will be recorded in the land evidence records.**

**The Technical Review Committee feels that the application successfully addresses all of the Town's subdivision regulations. No further technical review is needed. The TRC recommends Preliminary Plan approval with conditions. The approval conditions are as follows:**

- 1. The applicant records the submitted restrictive easement on the proposed larger lot which states that no further subdivision or development of land would be allowed.**
- 2. The applicant records in the land evidence records an approved sewer maintenance agreement that outlines the responsibilities of the property owners that utilize the private sewer system and the responsibilities of the Town. This agreement must specify the assessor's plat and lots of the properties involved.**

**3. Granite bounds shall be installed to mark the four corners that make up the 40' wide strip of land that contains the property's frontage.**

**4. All new houses must have a back-up generator for the proposed private force main system.**

**5. The applicant receives Narragansett Bay Commission permit before the final plan is recorded.**

### **Zoning Applications (\*) – March Zoning Applications**

**Sunn Builders, Inc. 270 Putnam Pike, Smithfield, RI – Application for Dimensional Variance for vacate AP45 Lot 297 on Lennon Road seeking front setback relief for the construction of a new home.**

**AP 45, Lot 297 Zoned: RA 40**

**Members of the Technical Review Committee visited the site and reviewed the submitted plans and application. The application did not outline reasons for seeking front setback relief. The Technical Review Committee recommends Denial of the application for front setback relief for the construction of a new home. The Technical Review Committee feels that the applicant can build a new house within the existing building envelope. The applicant did not offer any compelling reasoning for their request within their application. The Technical Review Committee feels that the current site plan and application does not represent the least relief necessary and is not due to the unique characteristics of the subject land.**

**John Young, 7 Lampercock Lane, Lincoln, RI – Application to renew a Special Use Permit for an existing accessory family dwelling unit.**

**AP 28, Lot 70 Zoned: RA 40**

**Members of the Technical Review Committee reviewed the submitted application to renew a Special Use Permit for an existing accessory family dwelling unit. The Technical Review Committee recommends Approval of the request to renew the Special Use Permit granted on December 02, 2008 for the Accessory Family Dwelling Unit. The Technical Review Committee feels that the special use permit will not alter the general character of the surrounding area and will not impair the intent and purpose of the zoning ordinance and the Comprehensive Plan.**

**Gertrude Chartier, 9 Pascale Drive, Lincoln, RI – Application to renew a Special Use Permit for an existing accessory family dwelling unit.**

**AP 11, Lot 136 Zoned: RS 12**

**Members of the Technical Review Committee reviewed the submitted application to renew a Special Use Permit for an existing accessory family dwelling unit. The Technical Review Committee recommends Approval of the request to renew the Special Use Permit granted on June 03, 2008 for the Accessory Family Dwelling Unit. The Technical Review Committee feels that the special use permit will not alter the general character of the surrounding area and will not impair the intent and purpose of the zoning ordinance and the Comprehensive**

**Plan.**

**Front Street Plaza, Inc. 259 Front Street, Lincoln, RI – Application for Special Use Permit for additional signage for the businesses in the plaza.**

**AP 10, Lot 13    Zoned: BL 0.5**

**Members of the Technical Review Committee visited the site and reviewed the submitted plans and application requesting additional commercial signage for the businesses in the plaza. The Technical Review Committee recommends Approval of this special use permit. A separate pylon already exists on the site. The application outlines the size and location of the proposed signage that will be located on the building. The Technical Review Committee feels that the special use permit will not alter the general character of the surrounding area and will not impair the intent and purpose of the zoning ordinance and the Comprehensive Plan.**

**Interim Guidance for Comprehensive Plan Review – Letter of Agreement**

**According to a letter sent from the State Division of Planning to the Planning Board Chairman, the comprehensive planning system is in a period of transition. In 2011, the Comprehensive Planning and Land Use Regulation Act (the Act) was amended and all comprehensive plans are required to be in conformance with the Act as amended by**

**June 1, 2016. To assist municipalities in fulfilling the requirements of the Act and achieving State approval, the Division of Planning is currently in the process of developing and codifying the standards for comprehensive plans that will be required for State approval. These standards will be adopted by the State Planning Council and will replace the guidance previously contained in Handbook 16: The Local Comprehensive Plan.**

**However, the Division of Planning understands that some municipalities are currently in the process of revising their comprehensive plans and that it may be difficult for such municipalities to incorporate all of the new standards that may be set forth. The Division of Planning wishes to be sensitive to municipalities who have already begun revising their comprehensive plans and is offering these municipalities the opportunity to have their revised comprehensive plans reviewed for State approval using the standards set forth in the Act as it existed prior to the 2011 amendments and the additional, attached interim guidance.**

**The interim guidance addresses both old and new aspects of the Act but does not include all of the proposed requirements that may be necessary after the State Planning Council adoption of the new standards. This opportunity is available for municipalities who expect that their comprehensive plans will be fully drafted within 12 months of the adoption of the new standards, which are anticipated**



to be approved by the State Planning Council in early Spring 2014. Planning Boards wishing to avail themselves of this opportunity must submit by February 28, 2014 a written request to the Associate Director of the Division of Planning, Kevin Flynn, to have their comprehensive plans reviewed for State approval using the interim standard. This request must include a date by which the comprehensive plan is anticipated to be completed and ready for recommendation by the Planning Board or Commission to the municipal legislative body for adoption. Once the request is received by the Division of Planning, a letter of agreement, which explains the conditions for receiving review using the interim guidance, will be mailed to the Planning Board or Commission Chair.

The Planning Department reviewed the requirements of the interim standards and recommends that the Planning Board takes advantage of this opportunity. Enclose is a proposed letter requesting that our Comprehensive Plan be reviewed under the interim standards for the Board's review and discussion. If the Planning Board agrees with the Planning Department, the Chairman can execute and send the draft letter.

## **American Planning Association – Rhode Island Chapter Membership Drive**

The Rhode Island chapter of the American Planning Association (APA-RI) is conducting a membership drive. The proposed membership is for the local chapter. A description and benefits of the

**membership is enclosed in your packet. If the Planning Board is interested in joining, the \$25.00 dues can be paid from the Planning Board's budgeted line item.**

**Correspondence/Miscellaneous (\*)**

**a. Staff Reports**

**b. Elvira & Arthur Cimini AP 42 Lots 15 & 16 Administrative Subdivision**